

### REMARKS

Claims 1-3, 5-7, 12-13 and 15-21 are pending in the application, of which claims 1 and 18 are independent. Claims 1 and 18 are amended herein to include the limitations of claim 14 and additional limitations. Claim 14 is canceled without prejudice and without abandonment of the subject matter thereof. Claims 12-13 and 15 are amended herein to reflect the amendments to claim 1 and cancelation of claim 14. No new matter is added.

#### Telephone Interview

The applicant thanks the Examiner for his helpful remarks during a telephone interview held on 10 August 2009. During the interview, claim 1 was discussed with respect to the teachings of Lowe (US 4,902,112), with particular reference to Figure 16 of Lowe. No agreement was reached.

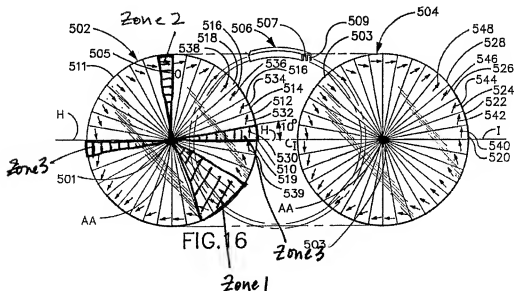
#### 35 U.S.C. § 102 Rejections

Claims 1-3, 5, 14 and 18 were rejected under 35 USC 102(b) as being anticipated by Lowe (US 4,902,112). In the rejection, the Examiner states that Lowe discloses all claimed features.

Applicant respectfully disagrees that Lowe anticipates the claimed invention since Lowe fails to disclose two third zones of the several zones associated with a polarizing filter oriented vertically with respect to the use position of the element, said two third zones being located in opposed lateral portions of the element with respect to the use position of the element, and being spaced apart from each other with a non-zero separating distance, as recited in amended claims 1 and 18. Instead, Lowe discloses a light transmitting device in which a layer 502 is divided into a plurality of equal angle, generally triangular, pie shaped portions 510, 512, 514..., each pie shaped portion having a pair of borders which extend radially outward *from the center 501* of the layer 502 (col. 13, lines 44-50). Although Lowe discloses two laterally opposed pie shaped portions which correspond to the claimed third zones, the portions having a vertically oriented polarizing filter (see pie-shaped portion 510 with arrow 530 vertically upward and the

diametrically opposite pie-shaped portion with the arrow vertically downward in the marked-up reproduction of Lowe's Fig. 16 below), the third zones disclosed by Lowe are not spaced apart from each other with a non-zero separating distance, as recited in amended claims 1 and 18, but instead meet at the center of the layer 502.

In addition, Lowe fails to disclose a first zone and a second zone that are located between the two third zones along a respective horizontal line extending between one of the third zones and the other of the third zones, as recited in amended claims 1 and 18. Instead, Lowe discloses the first zone (see pie-shaped portions in lower right quadrant between portion 519 and bottom dead center) which underlies the two third zones, and the second zone (see pie-shaped portion at top dead center identified with horizontal arrow) which overlies the two third zones. However, since the third zones disclosed by Lowe are disclosed to extend outward from the center 501, and thus meet in the center 501, it is not possible for either the first or second zone of Lowe to be disposed between the third zones, as recited in claims 1 and 18.



Since Lowe fails to disclose two third zones being spaced apart from each other with a non-zero separating distance, and further fails to disclose a first zone and a second

zone that are located between the two third zones along a respective horizontal line extending between one of the third zones and the other of the third zones as now recited in claims 1 and 18, reconsideration and withdrawal of the rejections is respectfully requested.

Applicant respectfully disagrees with the rejections of claims 2-3, 5 and 14 for the reasons presented above with respect to claim 1, from which claims 2-3, 5 and 14 depend.

### 35 U.S.C. § 103 Rejections

Claims 6-7, 12-13, 15-17 and 19-21 were rejected under 35 USC 103(a) as being unpatentable over Lowe.

Applicant respectfully disagrees with the rejections of claims 6-7, 12-13, 15-17 and 19-21 for the reasons presented above with respect to claims 1 and 18, from which claims 6-7, 12-13, 15-17 and 19-21 respectively depend.

### Conclusion

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

The Request for Continued Examination fee in the amount of \$810.00 is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 50-4189, referencing Attorney Docket No. 45201-011US1.

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Respectfully submitted,

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